

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RODNEY C. MOORE,

Plaintiff,

v.

Case No. 17-cv-122-pp

DAN CROMWELL, *et al.*,

Defendants.

**ORDER DENYING THE PLAINTIFF'S MOTION TO SUPPLEMENT
AMENDED COMPLAINT (DKT. NO. 82) AND GRANTING
THE DEFENDANTS' MOTION TO EXTEND DISCOVERY AND
DISPOSITIVE MOTIONS DEADLINES (DKT. NO. 84).**

Plaintiff Rodney C. Moore is a prisoner representing himself. He filed his original complaint on January 26, 2017. Dkt. No. 1. On October 10, 2017, the court allowed him to file an amended complaint, dkt. no. 25, and on November 7, 2017, the plaintiff filed that amended complaint, dkt. no. 27. The court screened the amended complaint on June 13, 2018, dkt. no. 41, and entered a scheduling order on August 14, 2018, dkt. no. 57. Since then, the plaintiff has filed numerous motions on various topics. This order deals with some of those motions, and the court will deal with the rest in a separate order.

On December 4, 2018, the court received from the plaintiff a motion asking the court to allow him to supplement his amended complaint. Dkt. No. 82. The next day, the defendants filed a motion to “stay” the deadline for filing dispositive motions. Dkt. No. 84. The court will deny the plaintiff's motion and grant the defendants' motion.

I. Motion to Supplement Complaint

On more than one occasion, the court has informed the plaintiff that it will not consider piecemeal submissions and supplements to his complaint. The court has also explained to the plaintiff more than once that he must put all his allegations in a single document and stop filing supplemental documents. The court has allowed plaintiff to amend his complaint once before. In the screening order for the amended complaint, the court specifically prohibited the plaintiff from “supplementing” that amended complaint. See Dkt. No. 41 at 4-5.

Even if the court had not told the plaintiff that he could not continue to “supplement” his complaints, this latest request to supplement concerns new allegations of retaliation and excessive force that, according to the plaintiff, arose as a result of his filing this lawsuit. The court has informed the plaintiff before that he cannot add to this lawsuit claims about things that happened after he filed it; he must put any new allegations into a new and separate complaint, and file them as a new lawsuit. The court will deny the plaintiff’s request to supplement his amended complaint.

II. Motion to Extend Discovery and Dispositive Motion Deadline

In their motion to “stay” the summary judgment deadline, the defendants actually ask the court to extend that deadline to May 20, 2019, and ask to extend the deadline for completing discovery to April 18, 2019. Dkt. No. 84. The defendants indicate that they need additional time because on December 4, 2018, the court allowed the plaintiff to substitute defendants Lt. Rezloft, Cpt. Cushions, Sgt. Schierland and Sgt. Cole for the John Doe placeholders. Id. (citing to the court’s order at dkt. no. 83). The defendants characterize what the court did as allowing the plaintiff “leave to file an Amended Complaint, adding

new defendants.” Id. That is not accurate; the court’s order did not allow the plaintiff to add new claims, or add new defendants; it allowed the plaintiff to substitute the real names of the people he already had sued as Doe defendants. At any rate, the deadline for the substituted defendants to answer is February 4, 2019, which is after the January 18, 2019 discovery deadline the court had set in its scheduling order. Given that the newly-identified defendants will need to conduct some discovery, the court will grant the defendant’s request to the extent that it asks for extensions of the discovery and dispositive motions deadlines.

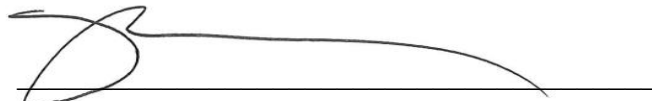
III. Conclusion

The court **DENIES** the plaintiff’s motion to supplement the amended complaint. Dkt. No. 82.

The court **GRANTS** the defendants’ motion to stay to the extent that it seeks an extension of the discovery and dispositive motion deadlines. Dkt. No. 84. The court **EXTENDS** the deadline for the parties to complete discovery to the end of the day on **April 18, 2019** and **EXTENDS** the deadline for the parties to file dispositive motions to the end of the day on **May 20, 2018**.

Dated in Milwaukee, Wisconsin, this 12th day of December, 2018.

BY THE COURT:


HON. PAMELA PEPPER
United States District Judge